

REMARKS

The foregoing amendment does not include the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated January 11, 2005 has been received and considered by the Applicants. Claims 1-12 are pending in the present application for invention. Claims 1-12 are rejected by the January 11, 2005 Office Action.

The Office Action rejects Claims 1-12 under the provisions of 35 U.S.C. §102(e) as being anticipated by US 2002/0129368 issued to Schlack (hereinafter referred to as Schlack).

Regarding Claim 1, the Examiner states that Schlack teaches a television program profile interface having a multiplicity of axes, comprising: television viewer profile represented by weighted viewer preferences that proportionately change with respect to at least one of a multiplicity of axes as defined by Claim 1. The Applicants, respectfully, point out that the present invention allows for viewer alteration of the weighted viewer preferences as described in the specification to the present invention on pages 14 and 15. Therefore, Claim 1 has been amended to more clearly define the invention. Claim 1 as amended defines subject matter for an activation mechanism that allows for viewer selection and manipulation of the television viewer profile weighted viewer preferences. This subject matter is not disclosed or suggested by Schlack. Accordingly, Claim 1 is believed to be allowable over Schlack.

Regarding Claims 2, 3 and 4, these claims depend from Claim 1 and further narrow and define Claim 1. Therefore, Claims 2, 3 and 4 are believed to be allowable over Schlack.

Regarding Claim 5, the Examiner states that Schlack teaches wherein said weighted viewer preferences are viewer modifiable. It appears as if the Examiner is asserting that viewer preferences of Schlack changing in accordance with the viewer's viewing habits is equivalent to being viewer modifiable. The Applicant asserts that this rejection is moot in view of the above discussed rejection to Claim 1. The Applicant further asserts that amended Claim 5 cites additional subject matter that is clearly allowable over Schlack for each of the weighted viewer preferences being individually viewer modifiable. This subject matter is not disclosed or

suggested by Schlack. Accordingly, Claim 5 is believed to be allowable over Schlack.

Regarding Claim 6, the Examiner states that Schlack teaches means for viewer interaction. It appears as if the Examiner is asserting that viewer preferences of Schlack changing in accordance with the viewer's viewing habits is equivalent to means for viewer interaction. The Applicant asserts that this rejection is moot in view of the above discussed rejection to Claim 1. The Applicant further asserts that amended Claim 6 cites additional subject matter that is clearly allowable over Schlack for means for viewer interaction to alter a topic selection presented by the television viewer profile weighted viewer preferences. This subject matter is not disclosed or suggested by Schlack. Accordingly, Claim 6 is believed to be allowable over Schlack.

Regarding Claim 7, the Examiner states that Schlack teaches an interactive, television program profile interface comprising: television viewer profile represented by weighted viewer preferences in graphical form including a plurality of bar graphs, said bar graphs being viewer changeable. The Applicant, respectfully, points out that Claim 7 has been amended to define subject matter for the bar graphs being coupled to an access mechanism that allows for viewer selection and altering of weighted viewer preferences. This subject matter is not disclosed or suggested by Schlack. Accordingly, Claim 7 is believed to be allowable over Schlack.

Regarding Claims 8, 9 and 10, these claims depend from Claim 7 and further narrow and define Claim 7. Therefore, Claims 8, 9 and 10 are believed to be allowable over Schlack.

Regarding Claim 11, the Examiner states that Schlack teaches a method of using a television viewer profile interface, comprising the steps of: providing a television viewer profile that changes with time; and modifying said television viewer profile by traversing a time axis. The Applicants would like to, respectfully, point out that Claim 11 has been amended to more clearly define the invention. Claim 11 as amended defines subject matter for modifying the television viewer profile via an access mechanism that allows viewer traversing of a time axis. This subject matter is not disclosed or suggested by Schlack. Therefore, Claim 11 is believed to be allowable over Schlack.

Regarding Claim 12, the Examiner states that Schlack teaches a method of using a television viewer profile interface, comprising the steps providing a television viewer profile that

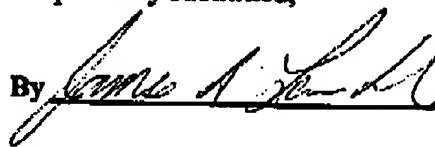
changes with time; and modifying said television viewer profile by viewer interaction. The Applicant believes that Examiner is equating the television viewer profile of Schlack being changed in response to program that have been previously viewed as being equivalent to the modifying of the television viewer profile by viewer interaction as recited by rejected Claim 12. The Applicants would like to, respectfully, point out that Claim 12 has been amended to define subject matter for modifying the television viewer profile by viewer interaction via an access mechanism that allows viewer selection and alteration of the television viewer profile. This subject matter is not disclosed or suggested by Schlack. Therefore, Claim 12 is believed to be allowable over Schlack.

New Claims 13-20 have been added by the foregoing amendment to the claims. These claims further define the mechanism that allows viewer selection and alteration of the television viewer profile as described on page 13-15 of the specification to the present invention. Therefore, Examination of new Claims 13-20 should not introduce new matter into the present application for invention. This subject matter is not disclosed or suggested by the cited references. Therefore, Claim 13-20 are believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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